



IT IS ORDERED as set forth below:

Date: November 15, 2018

A handwritten signature in black ink that reads "Paul W. Bonapfel".

Paul W. Bonapfel
U.S. Bankruptcy Court Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

IN RE:) CASE NO. 16-43136-PWB
)
CARTER GRAY HAMPTON and) CHAPTER 13
TINA MARIE HAMPTON,)
)
Debtors.)
)
)
U.S. BANK TRUST NATIONAL)
ASSOCIATION, AS TRUSTEE OF)
THE IGSC SERIES II TRUST,) CONTESTED MATTER
)
Movant,)
)
vs.)
)
CARTER GRAY HAMPTON,)
TINA MARIE HAMPTON, and)
MARY IDA TOWNSON, Trustee,)
)
Respondents.)
)

ORDER GRANTING DELINQUENCY MOTION

U.S. Bank Trust National Association, as Trustee of the IGSC Series II Trust ("Movant"), c/o SN Servicing Corporation, its servicing agent ("Movant"), filed a

Delinquency Motion ("Motion") and an Affidavit of Default on November 8, 2018 (collectively Doc. No. 60). For good cause shown, it is hereby ORDERED AND ADJUDGED as follows:

1.

The Motion is hereby granted.

2.

The stay set forth in FBR 4001(a)(3) is hereby waived, and the automatic stay is hereby modified to permit Movant to pursue and enforce under non-bankruptcy law any and all rights it has in and to that certain real property as more particularly described in the subject loan documents and commonly known as 158 Smokewood Lane, Ringgold, GA 30736 ("Real Property"), including, but not limited to, advertising and conducting a foreclosure sale, seeking confirmation of the foreclosure sale in order to pursue any deficiency, and seeking possession of the Real Property. However, Movant and/or its successors and assigns, may offer, provide, and enter into a potential forbearance agreement, loan modification, refinance agreement, short sale, deed in lieu of foreclosure, or any other type of loan workout/loss mitigation agreement. Movant may contact Debtors via telephone or written correspondence to offer any such agreement.

3.

Movant shall remit any surplus funds from the foreclosure sale to the Chapter 13 Trustee. The Chapter 13 Trustee shall cease funding Movant's pre-petition claim. Movant is granted leave to seek allowance of a deficiency claim, if appropriate, but Debtors and the Chapter 13 Trustee shall be entitled to object to said deficiency claim.

4.

Fed. R. Bankr. P. 3002.1 shall no longer apply to Movant upon entry of this Order.

[END OF DOCUMENT]

PREPARED BY:
Attorney for Movant

/s/
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DISTRIBUTION LIST ON ORDER

Pursuant to LR 9013-3(c) NDGa., the Order shall be served upon the following parties in interest:

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Mary Ida Townson, Esq.
Chapter 13 Trustee
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James M. Setters, Esq.
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